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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/614,161	07/11/00	KOTZIN	M CS10675

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WM02/0925

EXAMINER

CONTEE, J

ART UNIT	PAPER NUMBER
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2681

DATE MAILED:

09/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/614,161

Applicant(s)

Kotzin

Examiner

Joy K. Contee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Jul 11, 2000

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-36 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-36 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4,6,8,10-12 and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Patel et al. ("Patel"), U.S. Patent No. 5,513,213.

Regarding claim 1, Patel discloses an apparatus for providing additional processing power to a portable, wireless, communication device, the apparatus comprising:

a housing detachably connectable to the portable, wireless, communication device (col. 2, lines 60-66); and

digital circuitry carried by the housing and operable to assist electronic components of the portable, wireless, communication device in processing digital information to increase a data rate of a wireless communication link (col. 2, lines 11-34).

Regarding claim 2., Patel discloses the apparatus as in claim 1 wherein the portable, wireless, communication device comprises any of a cellular telephone, a two-way radio, and a personal digital assistant (PDA) for processing wireless communication signals (col. 2, lines 60-66).

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Regarding claim 3, Patel disclose the apparatus as in claim 2 wherein the wireless communication link comprises a cellular telephone communication link between a base station and the portable, wireless, communication device (col. 2, lines 60-67).

Regarding claim 4, Patel discloses the apparatus as in claim 2 wherein the housing and the digital circuitry comprise a computer controlled by a microprocessor (col. 3, lines 8-41 and see Fig. 1, #100).

Regarding claim 6, Patel discloses the apparatus as in claim 2 further characterized by an interconnect for coupling the electronic components of the portable, wireless, communication device to the digital circuitry (col. 2, lines 62-67).

Regarding claim 8, Patel discloses the apparatus as in claim 2 further characterized by memory for storing data resulting from the wireless communication link (col. 3, lines 43-63).

Regarding claim 10, Patel discloses the apparatus as in claim 1 wherein the portable, wireless, communication device is capable of communicating at a first data rate and a second data rate, the second data rate faster than the first data rate, the digital circuitry for aiding communication at the second data rate (col. 2, lines 21-34).

Regarding claim 11, Patel discloses the apparatus as in claim 1 further characterized by a computer detachably connectable to any of the portable, wireless, communication device and the digital circuitry (col. 3, lines 8-41 and see Fig. 1, #100).

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Regarding claim 12, Patel discloses the apparatus as in claim 1 wherein the digital circuitry is configured to perform at least a portion of a predetermined digital compression algorithm (i.e., formatting and modulating) (col. 3, lines 16-24).

Regarding claim 14, Patel discloses an apparatus for a cellular telephone, the apparatus characterized by:

a digital circuitry adapted to provide additional digital processing capability to the cellular telephone for increasing a maximum possible data rate of a cellular communication link (col. 2, lines 11-34); and

an interconnect (i.e., line 34) adapted to detachably couple the digital circuitry to the cellular telephone and to assist in transferring information between the cellular telephone and the digital circuitry (col. 3, lines 30-42).

Regarding claim 15, Patel discloses the apparatus as in claim 14 wherein the cellular telephone is capable of communicating at a first data rate and a second data rate, the second data rate faster than the first data rate, the digital circuitry for facilitating the cellular telephone in communicating at the second data rate (col. 2, lines 21-34).

Regarding claim 16, Patel discloses the apparatus as in claim 15 wherein the digital circuitry comprises any of a microprocessor, a digital signal processor (DSP), and a micro-controller (col. 8-46).

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Regarding claim 17, Patel discloses the apparatus as in claim 14 further characterized by memory for storing digital data resulting from the cellular communication link (col. 3, lines 43-63).

3. Claims 24 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson, U.S. Patent No. 5,322,991.

Regarding claim 24, Hanson discloses a cradle for a portable, wireless, communication device, the cradle characterized by:

digital processing circuitry for enhancing the portable, wireless, communication device's ability to process information at a high data rate (col. 4, lines 15-29 and col. 13, lines 52-62); and

an interconnect for transferring the information between the cradle and the portable, wireless, communication device (col. 3, lines 59-66).

Regarding claim 28, Hanson discloses the cradle as in claim 24 wherein any of the digital processing circuitry and the portable, wireless, communication device are adapted to electronically couple to a computer, the cradle for performing at least some of the digital processing tasks of the computer (col. 4, lines 19-32).

4. Claims 30,33,35 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. ("Lee"), U.S. Patent No. 5,873,045.

Regarding claim 30, Lee discloses a cellular telephone characterized by:

a battery detachably connectable to the cellular telephone to supply the cellular telephone with power (col. 6, lines 33-34); and

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a remote power source detachably connectable to the cellular telephone, wherein the cellular telephone is adapted to sense when the remote power source is coupled to the cellular telephone, the cellular telephone to alter (i.e. charging) a cellular telephone capability responsive to sensing the remote power source coupled to the cellular telephone (col. 6, lines 33-62 and col. 7, lines 37-43).

Regarding claim 33, Lee discloses a cellular telephone operational to communicate with at least one remote base station via a communication link, the cellular telephone comprising:

a cellular telephone housing; digital electronic circuitry carried by the cellular telephone housing for processing signals transmitted between the cellular telephone and the at least one remote base station (i.e., server 20) via the communication link; and

remote circuitry detachably coupled to the digital electronic circuitry to alter a mode of operation of the cellular telephone (col. 3, lines 18-28),

wherein when the remote circuitry is coupled to the digital electronic circuitry, the cellular telephone provides an indication to the at least one remote base station of an alteration in the mode of operation of the cellular telephone (col. 5, lines 16-23).

Regarding claim 35, Lee discloses the cellular telephone as in claim 33 wherein the digital electronic circuitry comprises at least a portion of a code division multiple access (CDMA) demodulator, and the remote circuitry comprises additional CDMA demodulation circuitry (col. 4, lines 42-52).

Regarding claim 36, Lee discloses the cellular telephone as in claim 33 wherein the

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remote circuitry is operational to assist the cellular telephone in processing a plurality of time slots of information transferred via the communication link via a time division multiple access (TDMA) cellular standard (col. 4, lines 42-49).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 9, 10, 13, 18, 20, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel, in view of Examiner's Official Notice.

Regarding claim 5, Patel discloses the limitations of claim 2. Patel does not explicitly disclose the apparatus as in claim 2 further characterized by a power source carried by the housing and operable to supply additional DC power to the portable, wireless, communication device, wherein the portable, wireless, communication device is operational to alter functionality of the portable, wireless, communication device when coupled to the power source.

However, Examiner takes Official Notice that it is well known in the art for an wireless device to include an additional battery pack.

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At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Patel to include additional means for supplying DC power to the terminal for the purpose of providing back up power in case the main battery gets low.

Regarding claim 9, Patel discloses the limitations of claim 8. Patel does not explicitly disclose the apparatus as in claim 8 wherein the data resulting from the wireless communication link comprises coded information resulting from operation of incremental redundancy.

However, Examiner takes Official Notice that it is well known in the art to perform incremental redundancy coding operations.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have included such a process in Patel for the purpose of providing efficiency such that a minimum number of coded bits is used based on the necessity of channel conditions at the time.

Regarding claim 13, Patel discloses the limitations of claim 1. Patel does not explicitly disclose the apparatus as in claim 1 wherein the digital circuitry is configured to perform incremental redundancy coding operations.

However, Examiner takes Official Notice that it is well known in the art to perform incremental redundancy coding operations.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have included such a process in Patel for the purpose of providing efficiency such that a

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minimum number of coded bits is used based on the necessity of channel conditions at the time.

Regarding claim 18, Patel discloses the limitations of claim 17. Patel does not explicitly disclose the apparatus as in claim 17 wherein the digital data results from incremental redundancy coding.

However, Examiner takes Official Notice that it is well known in the art to perform incremental redundancy coding operations.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have included such a process in Patel for the purpose of providing efficiency such that a minimum number of coded bits is used based on the necessity of channel conditions at the time.

Regarding claim 20, Patel discloses the limitations of claim 14. Patel does not explicitly disclose the apparatus further characterized by a power supply coupled to the interconnect, the power supply to provide additional DC power to the cellular telephone to alter functionality of the cellular telephone.

However, Examiner takes Official Notice that it is well known in the art for an wireless device to include an additional battery pack.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Patel to include additional means for supplying DC power to the terminal for the purpose of providing back up power in case the main battery gets low.

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Regarding claim 22, Patel discloses the limitations of claim 14. Patel also discloses the apparatus as in claim 14 wherein the digital circuitry is adapted to assist the cellular telephone in performing any of a digital compression algorithm.

However, Examiner takes Official Notice that it is well known in the art to perform incremental redundancy coding operations.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have included such a process in Patel for the purpose of providing efficiency such that a minimum number of coded bits is used based on the necessity of channel conditions at the time.

Regarding claim 23, Patel discloses the limitations of claim 22. Patel does not explicitly disclose the apparatus wherein the cellular telephone is adapted to operate in a TDMA communication system and process a first set of predetermined time slots of information, the digital circuitry adapted to process a second set of predetermined time slots of information, at least one of the second set different from the first set.

However, Examiner takes Official Notice that it is well known in the art for different data rates to correspond with different time slots in a TDMA system.

At the time of the invention it would have been obvious to one of ordinary skill in the art that Patel would have included channel allocation based on an appropriate data rate (and time slots) for the purpose of transferring data files accordingly.

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7. Claims 7, 19 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Patel, in view of Lee.

Regarding claim 7, Patel discloses the apparatus as in claim 6. Patel does not explicitly disclose the apparatus wherein the interconnect comprises a short range wireless link.

In a similar field of endeavor, Lee is evidence of the apparatus wherein the interconnect comprises a short range wireless link (col. 5, lines 10-15).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Patel to include data transfer via infrared radiation for the purpose of allowing a user to easily download information from an external source..

Regarding claim 19, Patel discloses the limitations of claim 14. Patel does not explicitly disclose the apparatus as in claim 14 further characterized by a cradle housing for carrying the digital circuitry and the interconnect, the cradle housing formed to have a cavity sized for receiving a portion of the cellular telephone.

However in a similar field of endeavor Lee is evidence of a cradle housing for carrying the digital circuitry and the interconnect, the cradle housing formed to have a cavity sized for receiving a portion of the cellular telephone (see Fig. 1, #12 and 13).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Patel to include a cradle or holster for connecting the portable phone to an auxiliary device.

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Regarding claim 21, Patel discloses the apparatus as in claim 14. Patel does not explicitly disclose wherein the interconnect comprises any of a wireless, radio frequency (RF) interconnect and an infrared interconnect.

In a similar field of endeavor, Lee is evidence of the apparatus wherein the interconnect comprises a short range wireless link (col. 5, lines 10-15).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Patel to include data transfer via infrared radiation for the purpose of allowing a user to easily download information from an external source.

8. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson, in view of Examiner's Official Notice.

Regarding claim 25, Hanson discloses the cradle as in claim 24. Hanson does not explicitly disclose the cradle wherein the portable, wireless, communication device comprises a cellular telephone operable to communicate via a cellular telephone network, the digital processing circuitry to increase a number of time slots of information that the cellular telephone can decode.

However, Examiner takes Official Notice that it is well known in the art to use an increased number of time slots of information when the circuitry is processing a higher data rate.

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At the time of the invention it would have been obvious to one of ordinary skill in the art that Patel would have included channel allocation based on an appropriate data (or increased) rate (and time slots) for the purpose of transferring data files accordingly.

Regarding claim 26, Hanson discloses the cradle as in claim 24. Hanson does not explicitly disclose the cradle wherein the portable, wireless, communication device comprises a wireless telephone operable to communicate via a code division multiple access (CDMA) communication system, the wireless telephone operable to decode CDMA communication signals at a higher data rate when the wireless telephone is coupled to the cradle than when the wireless telephone is not coupled to the cradle.

However, Examiner takes Official Notice that a CDMA system for communicating signals at a higher data rate is well known in the art.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Hanson to operate in a CDMA system for the purpose of communicating with the host.

9. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson, in view of Lee.

Regarding claim 27, Hanson discloses the limitations of claim 24. Hanson does not explicitly disclose the cradle as in claim 24 wherein the interconnect comprises a wireless interconnect, the wireless interconnect including any of a radio frequency (RF) interconnect and an infrared interconnect.

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In a similar field of endeavor, Lee suggests the interconnect comprises a wireless interconnect, the wireless interconnect including any of a radio frequency (RF) interconnect and an infrared interconnect (col. 5, lines 10-15).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Hanson to include a infra-red interconnect for the purpose of transferring data wirelessly without radio frequency communication.

10. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson, in view of Liukkonen et al. ("Liukkonen"), U.S. Patent No. 6,230,214.

Regarding claim 29, Hanson discloses the limitations of claim 24. Hanson does not explicitly disclose the cradle as in claim 24 wherein any of the digital processing circuitry and the portable, wireless, communication device are adapted to electronically couple to a personal digital assistant (PDA), the cradle for performing at least some of the digital processing tasks of the PDA.

In a similar field of endeavor, Liukkonen suggests the cradle wherein any of the digital processing circuitry and the portable, wireless, communication device are adapted to electronically couple to a personal digital assistant (PDA), the cradle for performing at least some of the digital processing tasks of the PDA (col 2, lines 56-59).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Hanson to include a PDA type portable communication device for the purpose of expanding the capabilities of the electronic device disclosed in Hanson.

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11. Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, in view of Examiner's Official Notice.

Regarding claim 31, Lee discloses the limitations of claim 30, Lee does not explicitly disclose the cellular telephone as in claim 30 wherein the battery is operational to deliver a first predetermined voltage level to the cellular telephone, the remote power source operational to deliver a second predetermined voltage level to the cellular telephone, the second predetermined voltage level greater than the first predetermined voltage level.

However, Examiner takes official notice that is well known in the art for remote power source, such as an alternating current (AC) to deliver a greater voltage level as compared to a battery connected to a mobile unit.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Lee for the purpose of implementing battery charging and power control as suggested by Lee (see col. 7, lines 18-35).

Regarding claim 32, Lee discloses the limitations of claim 30. Lee does not explicitly disclose the cellular telephone wherein the cellular telephone is configured to transmit at a higher average transmit power when the cellular telephone is coupled to the remote power source.

However, Examiner takes official notice that is well known in the art for mobile unit to transmit at an higher power when connected to a remote power source, such as an AC outlet .

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At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Lee to include high power transmission when connected to AC for the purpose allowing battery charging when the battery is low.

12. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, in view of Patel..

Regarding claim 34, Lee discloses the limitations of claim 33. Lee does not explicitly disclose the cellular telephone as in claim 33 wherein coupling the remote circuitry to the digital electronic circuitry increase a rate of transfer of data between the cellular telephone and the at least one remote base station via the communication link.

In a similar field of endeavor, Patel is evidence of the remote circuitry to the digital electronic circuitry increase a rate of transfer of data between the cellular telephone and the at least one remote base station via the communication link (col. 2, lines 62-66 and lines 21-34).

At the time of the invention it would have been obvious to one of ordinary skill in the art that the mobile client system in Lee and its tripartite organization would have included an increase in the rate of transfer of data for the purpose of expanding the capability of the transceiver.

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Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Helstab et al., U.S. Patent No. 6,073,031, discloses a desktop docking station for use with a wireless telephone headset.

Stamegna, U.S. Patent No. 6,085,078, discloses a vehicular audio system incorporating detachable cellular telephone.

Karpus et al., U.S. Patent No. 5,884,191, discloses an interface system for providing hands-free operation.

Hsieh, U. S. Patent No. 6, 026, 308, discloses a combination cordless phon-fax-modem computer.

Bruno et al., U.S. Patent NO. 6,226,529, discloses a system for providing a simultaneous data and voice channel within a single channel of a portable cellular telephone to provide position-enhanced cellular services.

Berland, U.S. Patent No. 5, 509,050, discloses a facsimile radio communication system having multiple data speeds.

Lewis et al., U.S. Patent No. 6,192,255, discloses a communication system and methods for enhanced information transfer.

Trompower et al., U.S. Patent No. 5,950,124, discloses a cellular communication system with dynamically modified data transmission parameters.

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Barber, U.S. Patent No. 6,029,072, discloses a portable telephone with terminal mode facility.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is (703) 308-0149.

The Examiner can normally be reached between 5:30 a.m. and 2:00 p.m., Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703)305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-4700

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or:


(703) 872-9314 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


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Joy K. Contee

September 8, 2001


NAY MAUNG
PRIMARY EXAMINER